



Town of Westminster

MASSACHUSETTS 01473
FROM THE OFFICE OF THE
PLANNING BOARD
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Jon Wyman - Chairman, Marie N. Auger - Vice Chair, Michael Fortin Andrew Rice

MINUTES OF REGULAR MEETING

Tuesday, January 26, 2016

Room 222, Town Hall

Attendees: Jon Wyman , Marie Auger, Mike Fortin, Town Planner Stephen Wallace

Absent: Andrew Rice

Additional Attendees: Ms. Courtney Starling/COG, Mr. Dan Bartkus, Mr. Siobhan Bartkus, Mr. Edvardas Bartkus, Mr. Ross Barber, Mr. Gary Litchfield, Mr. Gene LeBlanc, Mr. Wesley Flis, Mr. Joseph Aveni (did not sign in)

7:00 p.m.

Jon opened the Planning Board meeting and informed those present the meeting was being audio recorded.

7:00 p.m. - *Minutes*

Jon asked PB members to review the December 9, 2015 and January 12, 2016 meeting minutes. Marie motioned to approve both sets of minutes. Seconded Mike. The PB voted AIF to accept the minutes.

7:01 p.m. - *Village at Old Mill Subdivision: progress report – Gary Litchfield.*

Mr. Gary Litchfield updated the Board on 2015 progress at the subdivision: Final paving on Kimberly Road will happen in the spring. Josh Hall/DPW has asked for some binder to be replaced before final paving. All gas and all but two water, and sewer crossings on the road have been completed. The final two will happen in March. Mr. Litchfield hopes to final pave in April or May. 1000 feet of final paving will be done on Heritage Lane which will complete 60% of the top coat in the subdivision. Mr. Litchfield told the Board they have 6 houses under agreement for 2016 and hope to close on 12. Four were completed in 2015. Mr. Litchfield hopes to have the subdivision complete in two years. Stephen will follow-up on whether an extension will be required to complete the project.

7:12 p.m. *Approval Not Required (ANR) Plan: Lead the Way Development Corporation - Pierce Road creating a new building lot on Pierce Road.*

Mr. Gene LeBlanc described the ANR plan to the Board, splitting one large lot into two. The PB reviewed the plan. Mike made a motion to endorse the plan. Seconded Marie. Voted AIF to endorse.

7:17 p.m. - *Community Opportunities Group: review of Village Center zoning bylaw.*

Stephen reviewed the publicity tree. Public information sessions on Thursday February 11th and Saturday March 5th. Both advertised in the Gardner News and Fitchburg Sentinel. The Gardner News ran a story on it. Stephen showed the Board a postcard that will be mailed to all residents. Notices are posted on the Town website and an e-alert went out. Notices are up at the Town Hall and Library and are running on the community cable channel. Stephen is waiting to hear back from Keith Harding to appear on "Your Voice" to explain the Bylaw(s). The Board reviewed Ms. Starlings power-point presentation for the "Village District" and agreed it was fine with a minor page swap. Stephen and the Board reviewed the presentation he has provided for the remaining bylaws and all were happy with its brevity. Jon asked about Town staff review of the bylaws. Only DPW has responded asking to have a specification change of requiring granite curbing on the interiors of sites (instead of the concrete curbing now specified). There was discussion about cost of granite vs. concrete. The Board then reviewed Town Counsel comments on the Village bylaw. Ms. Starling will update the bylaw and presentation and

Stephen will post the updated bylaws and presentations to the Town PB website. Ms. Starling will attend the February 11th public information session.

7:38 p.m. - Westminster Estates (Woods at Westminster): minor revision to previously approved subdivision plan.

Stephen updated the Board on the progress since the December 8th meeting. Mr. Wesley Flis provided the PB with a color coded map showing the phases of the project. Mr. Flis addressed questions received from ConCom, DPW, and Fire. There are 13 lots in Phase one. The existing maintenance barn needs to be moved from a 13th lot. Phase one and two will total 41 lots. The owners will be back with revisions to the other phases when agreements are worked out with DPW/Sewer and BOH. The owners are working on a shared septic design.

Fire protection will be provided with sprinkler systems. A 300 gallon dedicated pressure tank in the basement supplies sprinkler heads in the home. Each room is supplied with 140 degree activated sprinkler heads. The Fire Chief has approved the system.

Con-Com has requested further review of the ground water plans for the site. Mr. Flis told the Board that a MEPA review had been done and had been signed off at the State level for the site. Copies of that review have been supplied to Bob Maki and Con-Com.

DPW has requested roadway binder pavement, sidewalks and storm-water system be in place in front of the lots before releasing lots. DPW requests a signed agreement with a "clerk of the works" be in place, who will submit regular reports to the PB, inspecting all work done on the roads, sidewalks and storm-water systems. 48 hours notice before inspections. All Costs to be borne by the applicant. Stephen asked to have an agreement signed before the PB endorses the plan. DPW has requested the applicant shall construct a gated 10-foot wide gravel access road from the proposed subdivision road to each stormwater basin for operation and maintenance purposes with basin access roads constructed in accordance with the specifications of the Westminster Public Works and the Massachusetts Stormwater Handbook. Mr. Bartkus stated some of the basins are right at the road. Mr. Flis had spoken to Josh Hall who was more concerned with access to the remote basins away from the roadways.

DPW would like Item 20 of the original decision follow: " Prior to building on any of the lots shown in this development, the applicant shall provide evidence of compliance with all other federal, state and local code and regulations, including but not limited to, review for applicability under The Watershed Protection Act, a NPDES permit, MEPA review, Earth Removal Permit, and well and septic permits from the Westminster Board of Health." Mr. Dan Bartkus told the Board the owners have been working with BOH on shared septic systems for phases three and seven, which will be operated by the sewer department who will charge fees and maintain the systems.

Stephen told the owners that the Towns Earth Removal Bylaw has changed since approval of the subdivision. He will send them updated copies for their review of the triggers to the bylaw that they should be aware of.

Mr. Flis explained to the Board the MEPA Environmental process and what had transpired since that point. The lot sizes in Phase one and two have been increased to 30,000 minimum square feet which meet on site nitrogen aggregate loading plan requirements. Future shared systems may require the special permit. Mr. Flis showed the Board where plans have been modified to include pre-treatment before storm-water basins where outfall was in areas of endangered species. Con-Com will be engaged for Requests for Determinations on any individual lots as needed. They will also be providing a storm-water pollution plan as required by the EPA. Stephen asked the PB be sent a copy of that report. Mr. Flis reviewed the two historical deed restrictions for the project.

The Board then reviewed the modified Form E covenant that had been reviewed by Town Counsel and the owners counsel, as well as the owners lenders counsel. The owner and owners bank will sign the covenant first, and they will return for PB signatures at a future meeting.

The PB will add Westminster Estates (Woods at Westminster) to the February 9th agenda.

8:25 p.m. January progress report for earth removal operation at the Westminster Business Park.

The Board reviewed the monthly report and had no comments to offer. There was mention of a new engineer being assigned to the project and the use of a drone to take progress pictures of the site work.

8:27 p.m. *Old Business*

There was discussion about the BOS request for a member of the PB to join the Town Government Study Committee. Members present noted that they were not interested in serving on the Committee.

8:39 p.m. *Adjourn.*

Marie made a motion to adjourn. Mike seconded. The PB voted AIF to adjourn.

3 Pages of Minutes
Respectfully submitted,
Michael Fortin

11 Attachments :

- 1) ANR Plan of Land Prepared for Lead the Way Development Corp. LLC by Edmond Boucher dated November 28, 2015. 1 page. Pierce Road. (*LTW ANR Pierce Road.pdf*)
- 2) Town Planner packet for Pierce Road/Lead the Way Development Corp. ANR including Form A application dated Jan 19, 2016, tax card and Town Planner GIS Mr. Mapper map. 4 pages. (*Pierce Road - 2 lot ANR LeBlanc application.pdf*)(*Pierce Road Leblanc tax card.pdf*)(*Pierce Road - LeBlanc ANR Map.pdf*)
- 3) Communities Opportunity Group/Courtney Starling PowerPoint presentation. (*Village Center Bylaw Presentation.pdf*)
- 4) *Draft Village Center Bylaw.pdf* Date 12/9/2015. 4 Pages.
- 5) *Village Center Map - COG.pdf* Modified 1/11/2015. 1 Page.
- 6) Final Environmental Impact Report for Woods of Westminster and Residential Subdivision Dated May 29, 2009. 4 Pages. (*Woods - Final EIP - State.pdf*)
- 7) Town Planner Memo for Minor Modification to the Definitive Subdivision Plan and Special Permit for The Westminster Estates Subdivision (aka: the Woods at Westminster) Dated January 20, 2016. 4 Pages. (*Minor Modification Review Memo - Woods 2016.pdf*)
- 8) Tetra Tech Monthly Progress Report for Westminster Business Park. Dated January 7, 2016. 2 Pages and 3 photos. (*2016-01-07_progress.pdf*)(*WBP 01.JPG*)(*WBP 02.JPG*)(*WBP 03.JPG*)
- 9) Tetra Tech Monthly Cumulative Gravel Removal Report for Westminster Business Park. 1 page, no date. (*2016-01-08 YTD Cumulative Gravel Removal.pdf*)
- 10) Town Planner Update to BOS dated December 29, 2015. 2 pages.
- 11) Definitive Plan Conditional Approval and Special Permit to Allow Cluster Development at Westminster Estates dated 2007 Apr 24. Recorded: Bk 6463 Page 239-244 (*Woods at Westminster - recorded decision.tif*)